

ORIGINAL



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Armando Fimbres

T-20786A-11-0088

From: Ferenchak, Brett P. [Brett.Ferenchak@bingham.com]
Sent: Wednesday, April 27, 2011 9:26 AM
To: Armando Fimbres
Cc: Lacey, Kimberly A.
Subject: re Windstream NuVox 11-0088
Attachments: WIN NuVox AZ Response to Staff's 1st Data Request.pdf; WIN NuVox Revised AZ Tariff.pdf

Armando,

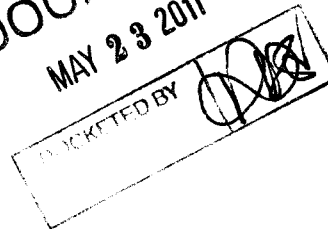
Attached please find Windstream NuVox, Inc.'s response to Staff's 1st Data Request. We have also attached a revised tariff, which includes the revisions requested in the Data Request and changes to the following sections to make them consistent with WIN NuVox's tariffs in other states: 2.5.3 and 2.5.4 on page 28), 2.9 on page 39, 4.2 and 4.3 on page 41 and 6.1.4 on page 47 (removing MRC from heading). Please let me know if we should formally file these documents in the docket. Please also let us know if you have any additional questions.

Regards,
Brett

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**ARIZONA CORPORATION COMMISSION
STAFF'S FIRST SET OF DATA REQUESTS TO WINDSTREAM NUVOX, INC.
RESPONSE OF WINDSTREAM NUVOX, INC.
APRIL 27, 2011
DOCKET NO. T-20786A-11-0088**

STF 1.1 **WIN NuVox is applying for a Resold Local Exchange CC&N. Please name the Company or Companies who will be the source(s) for services to be resold under the terms and conditions in Tariff No. 1 submitted with WIN NuVox's CC&N application.**

Response: Windstream NuVox, Inc. ("WIN NuVox") has entered into contracts with Verizon Business.

Respondent: Brian Rabchuk
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STF 1.2 **Tariff No. 1 submitted with the WIN NuVox CC&N application includes the provision of long distance service in service packages. Please explain why WIN NuVox is not applying for either Resold or Facilities-Based Long Distance authority?**

Response: While WIN NuVox's Tariff No. 1 refers to the fact that WIN NuVox customers can receive in/outbound domestic long distance as part of their bundled solution, as stated on Original Page 59, paragraph 8.7, long distance will be provided by Windstream Communications, Inc. ("WCI"). WCI is already certificated and tariffed to provide long distance in the state of Arizona. Windstream Communications, Inc.'s Arizona A.C.C. Tariff No. 1 was updated on March 7, 2011 with Long Distance Blocks applicable to the WIN NuVox bundles.

WIN NuVox's Tariff No. 1 long distance paragraph 8.7 is intended to disclose that general information regarding long distance provided through WCI.

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STF 1.3 **Long distance services typically include a description of 'timing and rounding' parameters, such as timing in 6-second increments and rounding to the next 6-seconds. Please explain why Tariff No. 1 does not including such description detail?**

Response: WIN NuVox, Inc.'s AZ C.C. Tariff No. 1, Original Page 59, paragraph 8.7, Long Distance, describes the long distance, provided through WCI, and the "timing and rounding" parameters:

Long distance (LD) rates apply for inbound and outbound IntraLATA, intrastate, and interstate domestic calls. LD minutes are billed in 6-second increments with an 18-second minimum call length.

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STF 1.4 **WIN NuVox requests statewide authority in section A-10 of its CC&N application, however, Tariff No. 1, page 41, section 4.2 describes very specific service areas. Does WIN NuVox have plans to serve outside the specific areas? If yes, in what timeframe?**

Response: While WIN NuVox is seeking state-wide certification, it does not at this time have short-term plans for expansion beyond the service area described in the tariff. The proposed initial service is the area under which it can currently receive service from its provider, Verizon Business. In the event that Win NuVox experiences customer demand for additional service areas, it would attempt to expand its Verizon Business contract and amend its tariff to reflect the additional service areas.

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STF 1.5 **Does WIN NuVox intend to service the areas described in Tariff No. 1, page 41, section 4.2 because of broadband availability from providers? If yes, please explain which broadband providers will be used by WIN NuVox.**

Response: Yes; WIN NuVox is currently limited to the service areas defined in its tariff by the availability of service it receives from Verizon Business.

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STF 1.6 **Tariff No. 1, page 27, section 2.5.2.5, describes a 'Payment Convenience Charge'. Please provide:**

1 - The names of any providers utilizing a similar charge in Arizona.

Response: A search of several other CLEC tariffs did not uncover a similar charge. However, the ability to search for such a charge is limited by the possible names under which such a charge appears, and finding the tariff section where it resides.

2 - Cost and/or operations justification for an associated maximum charge of \$20 and a current charge of \$7.50

Response: WIN NuVox implemented the Payment Convenience Charge option as a service to customers in 2008 in its other states. Customers with overdue balances requested a way to make a payment over the telephone, which would be processed immediately to avoid service disconnection for non-payment. To implement the service, WIN NuVox added an additional representative to whom all such requests were transferred. At the time, the costs assumptions were as follows: 1 full-time agent @ \$24.00/hour (salary and benefits); taking 135 payments per day (average based 1Q08 actuals); cost of credit card or electronic check processing. Please note that this service is provided upon customer request only, and the Payment Convenience Charge is disclosed to customers before they elect to proceed with making a payment which will be immediately credited to their account. This charge does not apply for "normal" payment options: payments mailed in, automatic funds transfer, or payment through the Company's Internet website.

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STF 1.7 **Tariff No. 1, page 27, section 2.5.2.6, describes an 'Account Detail Charge'.
Please provide or explain:**

1 - The names of any providers utilizing a similar charge in Arizona.

Response: A search of several other CLEC tariffs did not uncover a similar charge. However, the ability to search for such a charge is limited by the possible names under which such a charge appears, and finding the tariff section where it resides. However, Qwest's tariff includes a \$5 current chart/\$10 maximum charge for additional bill copies, which reflects WIN NuVox's costs of issuing a paper invoice.

2 - Cost and/or operations justification for an associated maximum charge of \$15 and a current charge of \$5.95

Response: WIN NuVox has implemented this charge in many states. It was implemented to not only recover the cost of supplying a paper invoice, but to encourage customers to use the "green" alternative of a paperless invoice. WIN NuVox provides bundled service to complex medium-large business customers, and paper invoices for such customers are voluminous (up to hundreds of pages for LD detail). Customers can opt for a full paper invoice for this nominal charge, or a free electronic invoice with a 1 page paper remittance. Customers opting for the free electronic invoice receive a monthly paper remittance statement with bill summary, remittance information, and requisite bill messages. However, they retrieve their full bill detail via WIN NuVox's website. This option is popular with current customers, as it also allows them to view many months of bill detail and download bill detail directly into spreadsheet applications for accounting and budgeting purposes. Most sophisticated business customers do not need or want a voluminous paper invoice; they want quick, 24/7 access to downloadable data.

3 - How is charging for customer billing detail provided in monthly paper statements permitted by or consistent with Commission rules?

Response: The Company's invoices, paper or electronic, comply with the requirements set forth in R14-2-508, Billing and Collections, for business customers. WIN NuVox did not see a charge for a paper invoice, with a free electronic bill option, prohibited in Commission rules.

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STF 1.8 **Tariff No. 1, page 48, section 6.2.7, outlines 'Operator Assisted Surcharges' described as Monthly Recurring Charges ("MRC"). Staff understands such charges to be typically non-recurring or per use charges. If non-recurring or per use was WIN NuVox's intent, please submit a revision to section 6.2.7.**

Response: When adapting the AZ tariff for Current and Maximum charges, the incorrect heading was copied in, while the text read "per call". The heading has been corrected and the pages are being resubmitted with this Data Request.

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STF 1.9 **Tariff No. 1, page 49, section 6.2.10, outlines 'Busy Line Verification Rates' described as Monthly Recurring Charges ("MRC"). Staff understands such charges to be typically non-recurring or per use charges. If non-recurring or per use was WIN NuVox's intent, please submit a revision to section 6.2.7.**

Response: When adapting the AZ tariff for Current and Maximum charges, the incorrect heading was copied in, while the text read "per request". The heading has been corrected and the pages are being resubmitted with this Data Request. Sections 6.1.1 and 6.1.4 on page 47 were similarly corrected to remove "MRC" from the heading.

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STF 1.10 **Is the SoftPhone service described on page 51, section 7.3, of Tariff No. 1 available for residence or business users? If no, please explain.**

Response: WIN NuVox provides service only to business customers.

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STF 1.11 **Regarding the SoftPhone service described on page 51, section 7.3, of Tariff No. 1, please explain:**

1 - Which providers will be the source(s) for phone numbers assigned by WIN NuVox to end-users?

Response: WIN Vox will resell Verizon Business service.

2 - What is the physical location of the local exchange central offices or end-users offices in which will WIN NuVox end-user phone numbers will be assigned?

Response: This will vary, as it depends on the Verizon Business arrangement.

3 - Will SoftPhone customers be instructed that their phones should not be moved from one address location to another, such as from one home to another or one office address to another?

Response: Customers will update their physical location prior to the Softphone being able to launch; this means no calls can be made if they are not on their home network or have not entered (updated) their current physical location.

4 - How does WIN NuVox propose to enable 911 service? Will customers be required to provide any data entry to properly or accurately enable 911 service?

Response: Customers will use the Verizon Business 911 product. 911 calls will always be routed through Verizon Business and the underlying ILEC.

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STF 1.12 The description of the SoftPhone service in on page 51, section 7.3, of Tariff No. 1 includes "For intrastate long distance calls placed using SoftPhone, the applicable per minute long distance rate will apply." Will customers be allowed to select the intraLATA and interLATA long distance providers of their choice?

Response: Softphone customers will need to use Windstream as their LD service provider. However, customers can reach other LD providers via dial around, calling card, or 0+ dialing, just like any other customer PIC'd to Windstream can.

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STF 1.13 The description of the SoftPhone service in on page 51, section 7.3, of Tariff No. 1, appears to be that of an internet based or VoIP service. How will WIN NuVox accommodate the traditional 1+ signaling and routing associated with the provision of long distance service and required for corresponding long distance billing detail.?

Response: Windstream handles Softphone just like traditional TDM calls. Customers use regular 1+ calling and will have full call billing detail on their monthly invoices.

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STF 1.14 **Tariff No. 1, page 51, section 7.2 refers to Individual Case Basis ("ICBs") contracts. Please confirm that WIN NuVox's understands it must file Individual Case Basis ("ICBs") contracts pursuant to A.A.C. R14-2-1115(C)3.**

Response: WIN NuVox will comply with applicable Commission rules regarding ICBs.

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STF 1.15 **Does WIN NuVox acknowledge its obligation to include its SoftPhone lines, or equivalent lines, customers and associated revenues in the Utilities Annual Report? If no, please explain WIN NuVox's reasoning.**

Response: Yes. Softphone lines are included in WIN NuVox's revenue and line reporting.

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STF 1.16 **Does WIN NuVox acknowledge its obligation to report all information requested by the Utilities Annual Report?**

Response: Yes. WIN NuVox acknowledges its obligation to report all information requested by the Utilities Annual Report

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STF 1.17 **Does WIN NuVox acknowledge its obligation to include in the Utilities Annual Report all intrastate revenues for services provided under the authority of the Commission's CC&N and associated with services included in the proposed Tariff No. 1?**

Response: Yes. Win NuVox acknowledges its obligation to include in the Utilities Annual Report all intrastate revenues for services provided under the authority of the Commission's CC&N and associated with services included in the proposed Tariff No. 1

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STF 1.18 **Please explain the service(s) associated with 'VoIP Non-Recurring Charges' in Tariff No. 1, page 59, section 8.8?**

Response: The charge applies to all initial installations of Dynamic Office Voice and Total Office in Section 8, which would include the entire package selected by the customer. It does not apply to the subsequent addition of individual features or feature bundles to an existing account.

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STF 1.19 **Please clarify WIN NuVox's statement in section (A-20) of its CC&N application by explaining if WIN NuVox has any affiliates operating in Arizona.**

Response: Section (A-20) of the CC&N application asks for "any alternative providers of the service that are also affiliates of the telecommunications company..." As stated in WIN NuVox's CC&N application, it does not have any affiliates that are alternate providers of this service in Arizona. Windstream NuVox, Inc's affiliate, Windstream Communications, Inc. is certified as an IXC in Arizona and does not provide comparable service to the proposed services to be offered by WIN NuVox.

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